

Concise Explanatory Statement
for amendments to
WAC 16-390-230
Apple Pest Certification Fee

On August 31, 2006, the Washington State Department of Agriculture held a hearing in Yakima to accept testimony on its proposal to amend WAC 16-390-230. The proposal increases the apple pest certification fee from \$.0075 per hundredweight (cwt.) to \$.015 per cwt. This increase is effective through December 31, 2008. The fee reverts back to \$.0075 per cwt. on January 1, 2009.

Reasons for Adopting the Rule:

The apple maggot is an invasive insect pest native to Eastern North America. Its hosts include apples, crabapple, and native hawthorn. In its larval development stage it can cause extensive damage to fruit. It is economically significant to the Washington apple crop not only due to its ability to cause physical crop damage, but also because fruit from apple-maggot free areas or locations has greater market access for international shipments. The apple pest certification fee is used to fund annual surveys for apple maggot. Data collected from last summer's apple maggot survey provided evidence that the state's apple maggot population has expanded its range. Because of this, additional resources will be needed to conduct expanded future apple maggot surveys in order to comply with international standards. In addition, the program has experienced increased costs of inputs, particularly gasoline. Changes to the existing rule are needed to help manage and prevent the possible movement of apple maggot from infested areas into uninfested areas, secure our continued access to international and interstate markets, and protect the commercial tree fruit industry from an economically significant pest. Failure to adopt the proposed amendments may jeopardize foreign and domestic markets for Washington apples.

Summary of Comments:

The public comment period ran from July 19, 2006 until close of business on August 31, 2006. During that time, one written comment and one oral comment were received.

The following summarizes the written testimony regarding the proposed amendments:

Miles Kohl – representing the Yakima Valley Growers-Shippers Association **supports** the proposal. Stated the Association "...supports the proposed rule to increase the fees of the Apple Maggot trapping program." Mr. Kohl requests a partnership between WSDA, the Governor's Office, and industry to address unmanaged riparian areas within Eastern Washington that he believes potentially contribute to an increased apple maggot population.

Response: While we understand the difficult issues the tree fruit industry faces, management of vegetation in riparian areas is beyond the scope of these rules.

The following summarizes the oral testimony regarding the proposed amendments:

Urban Eberhart – representing the Kittitas County Pest and Disease Control Board **supports** the proposed fee increase to control apple maggot – to continue to control the expansion of apple maggot.

Difference Between Proposed Text and Published Text:

There are no differences between the text of the proposed rule as published in the register and the text of the rule as adopted. The rule is adopted as proposed.